

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application NO. 14580 of George Washington University, pursuant to Sub-section 8207.2 (3108.1, DCMR 11) of the Zoning Regulations, for a special exception under Paragraph 3101.46 (210.1, DCMR 11) to continue to operate a parking lot for hospital doctors, nurses, and staff in the R-5-C and R-5-D Districts at the premises 906 - 23rd Street, N.W., (Square 40, Lot 36).

HEARING DATE: APRIL 8, 1987
DECISION DATE: APRIL 8, 1987 (Bench Decision)

FINDINGS OF FACT:

1. The site is located within the boundaries of the approved campus plan for George Washington University (the "Applicant") at Washington Circle between New Hampshire Avenue and 23rd Street. It is known as premises 906 23rd Street, N.W. The eastern portion is zoned R-5-C and the western portion is zoned R-5-D.

2. The Board of Zoning Adjustment (the "Board") granted conditional approval to use the lot for parking pursuant to BZA order Nos. 12236, 12584 and 13739.

3. Pursuant to Sub-section 8207.2 (3108.1 DCMR 11) of the Zoning Regulation's, the applicant is seeking a special exception under paragraph 3101.46 (210.1, DCMR 11) to continue the use of the site as parking for the exclusive use of the 1,815 attending physicians, nurses and house staff of George Washington University Hospital which is located directly across 23rd Street to the east. The parking lot provides 265 parking spaces. Parking for visitors is provided within a nearby parking garage.

4. The parking lot will be operated on a 24 hour a day basis. The cost of operating the parking lot will be passed onto the users of the lot.

5. The lot is attended at all times. The attendant is responsible for policing the lot on a daily basis. A motorized sweeper is used to clean the lot bi-weekly.

6. The parking facility enables the Applicant to provide parking for key medical personnel within a short

walking distance. A security guard assigned to the parking lot provides escorts personnel on the evening and night shifts.

7. There is an entrance to a Metro station at the south-eastern corner of Square 40. Metro does not and it is not anticipated that Metro will operate during all of the hours for which its use would be required by the Hospital staff.

8. The policies of the Applicant are consistent with those designed to discourage automobile commuting and to encourage use of mass transit. The Applicant does not subsidize parking for employees, students or visitors. The Applicant participates in the Council of Government commuter club program and maintains an active car pool locator service.

9. The subject lot is landscaped and a brick wall forty-two inches in height with a concrete coping is provided along the north side of the property facing Washington Circle.

10. By memorandum dated March 30, 1987 the Department of Public Works (DPW) reported that no adverse impacts caused by the lot have been identified. The parking spaces in the lot are included among the 2,700-3,3,000 spaces in the Campus Plan mandated by the Board. The Department Of Public Works further reported that the lot was observed to be clean and well maintained. The Department Of Public Works has no objections to the granting of the continued use.

11. Advisory Neighborhood Commission 2A filed no report on the application.

12. All persons who sought to testify either in favor of or in opposition to the application were given an opportunity to do so.

CONCLUSION OF LAW AND OPINION:

Upon consideration of the above Findings of Facts and the evidence of record, the Board concludes that the applicant is seeking a special exception, the granting of which requires the applicant to demonstrate compliance with the requirements of Paragraph 3101.46 and Sub-Section 8207.2 of the Zoning Regulations.

The Board concludes that the applicant has met the burden of proof. The parking lot is located so as not to become objectionable to neighboring property because of noise, traffic, number of students or other objectionable conditions.

The continuation of the subject parking lot is consistent with the approved campus plan for the University as being within the range established by the plan. The Board concludes that the proposed use is a valid University function and may be permitted under the Zoning Regulations. The Board further concludes that the application can be granted as in harmony with the general purpose and intent of the Zoning Regulations and will not tend to affect adversely the use of neighboring property.

Accordingly, it is hereby ORDERED that the subject application is GRANTED subject to the following CONDITIONS:

- a. Approval shall expire on November 14, 1987.
- b. Landscaping approved in the previous Order No.13739 shall be maintained.
- c. All parked vehicles must be capable of fitting into a nine foot by nineteen foot parking space.
- d. All lighting used to illuminate the lot shall be flood lights with glass globes designed to diffuse the light and to reduce the glare.
- e. All lights on the northern end of the lot shall be turned out at 9:30 P.M.
- f. The lights on the parking attendant's booth shall be so arranged that all be maintained with a paving of material forming an all-weather impervious surface.
- g. All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.
- h. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.
- i. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.
- j. All parts of the lot shall be kept free of refuse or debris and shall be paved or landscaped.

Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance.

- k. No other use shall be conducted from or from or upon the premises unless such use or structure is otherwise permitted in the zoning district in which the parking lot is located.
- l. Any lighting used to illuminate the parking lot or its accessory building shall be so arranged that all direct rays of such lighting are confined to the surface of the parking lot.

VOTE: 5-0 (Charles R. Norris, Paula L. Jewell, Maybelle T. Bennett, William F. McIntosh and Carrie L. Thornhill to grant)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


EDWARD L. CURRY
Acting Executive Director

FINAL DATE ORDER: JUN 2 1987

UNDER SUB - SECTION 8204.3 OF THE ZONING REGULATIONS, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

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